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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/770,298	02/02/2004	Benny Madsen	11602.00.0010	1421

23418 7590 12/10/2007

VEDDER PRICE KAUFMAN & KAMMHOLZ
222 N. LASALLE STREET
CHICAGO, IL 60601

EXAMINER	
SMITH, CREIGHTON H	
ART UNIT	**PAPER NUMBER**
2614	

MAIL DATE	DELIVERY MODE
12/10/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/770,298	MADSEN ET AL.	
	Examiner	Art Unit	
	Creighton H. Smith	2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,9 and 14* is/are rejected.

7)☒ Claim(s) *5-8, 10-13, 15-18* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 2, 4, 9, 14, are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent Publication #2003/0125890 to Nagamatsu, now U.S. Patent #6,853,934 in view of U.S. Patent Publication #2003/0004680 to Dara-Abrams et al, now U.S. Patent #6,826,512.

In ¶-0021 Nagamatsu discloses that his method is for the remotely monitoring of an operating test object; in ¶-0008 he discloses that workstation receives the information from remote sensors.

Nagamatsu shows in Fig. 1 a remote data acquisition system (14) having an analog-digital converter (38), ¶-0025. A/D convert (38) receives analog signals (40A, 40B, 40C, 40D, 40E, 40F-¶-0025) coming from remote test object (32, ¶-0024). Nagamatsu's A/D converter acts as both a receiver because it receives the test object's analog signals (40A-40F), and acts as a transmitter because after converting the analog signals to digital signals it sends those signals on to the ultimate destination – workstation (66).

Nagamatsu discloses in ¶-0027 that transmission line (18) could contain an Internet connection, thus meaning the packet-switched network and also shows the client computer/workstation (66) that inherently has as many interfaces within the WS as there are different communication methods. Nagamatsu does not disclose a server.

However, Dara-Abrams et al disclose in ¶-0020 a server site (20) having a computer system (22). To have provided Dara-Abrams teaching of a server system connected directly to a workstation/PC in Nagamatsu's system would have been obvious to a person having ordinary skill in the art because a server, according to Newton's Telecom Dictionary, 23rd Edition, page 825, can be as simple as a regular PC.

Claims 3, are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagamatsu in view of Dara-Abrams et al as applied to claim 1 above, and further in view of McCoy et al, U.S. patent Publication #2004/0173006.

McCoy et al disclose in ¶-0049 a controller (108) that includes a computer (116) which processes data received from a plurality of sensors (106); in ¶-0054 McCoy et al disclose that as an example of different networks (120) can be the RF network. To have provided McCoy et al teaching of using the RF network to send the sensor's data would have been obvious to a person having ordinary skill in the art because both Nagamatsu, Dara-Abrams, and McCoy's systems are testing and diagnosing different machines to determine their problems and the skilled practitioner in this art will readily realize that one network substituted for another network and the apparatuses will still work efficiently.

Claims 5-8, 10-13, 15-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication should be directed to Creighton H. Smith at telephone number 571/272-7546.

03 DEC '07

Creighton H Smith
Primary Examiner
Art Unit 2614

Michel G. Fagan.

Impt. in Heating Apparatus.

112233

Fig. 1. PATENTED FEB 28 1871

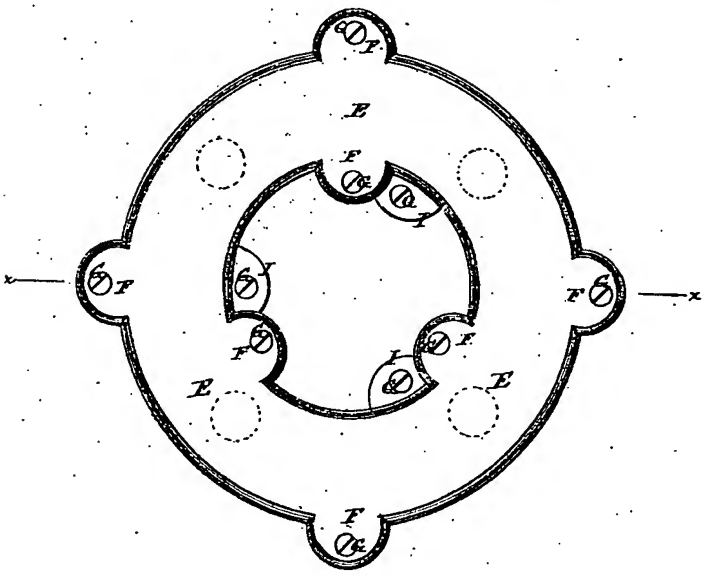
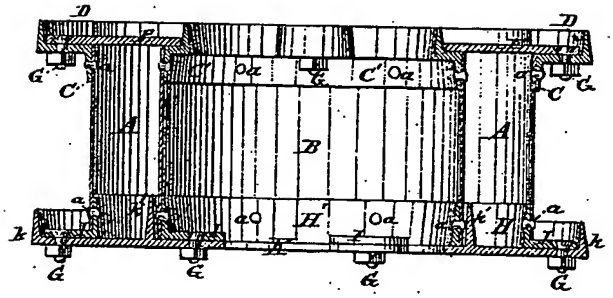


Fig. 2.



Witnesses.

A. Le Merle
P. H. Poole.

Inventor.

Michel G. Fagan, by
Prindle and Dyer
Attys.